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| Form PTO-1390 | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER P26361 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/516313 Not Yet Assigned |
| INTERNATIONAL APPLICATION NO. PCT/JP03/07478 | INTERNATIONAL FILING DATE June 12, 2003 | PRIORITY DATE CLAIMED June 12, 2002 |
| TITLE OF INVENTION AGENT FOR SUPPRESSING SIDE EFFECTS OF ANTITUMOR AGENT | | |
| APPLICANT(S) FOR DO/EO/US Yasukazu NAGATO and Masahiro MURAKAMI | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d) (4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. .371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 16 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. Assignee: <u>Amato Pharmaceuticals Products, Ltd. of Kyoto, Japan</u> 12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 14. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76. 16. <input type="checkbox"/> A substitute specification. 17. <input type="checkbox"/> A power of attorney and/or change of address letter. 18. <input type="checkbox"/> Figure of Drawing to be published: 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d) (4). 21. <input type="checkbox"/> A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4). 22. <input checked="" type="checkbox"/> Other items or information: <p>Cover Letter Filed Under 35 USC 371 & 37 CFR 1.495. A copy of the International Application as published in Japanese. A copy of the International Application as filed in Japanese. PCT/ISA/210-International Search Report-in Japanese and English. PCT/RO/101-PCT Request; PCT/IB/301; PCT/IB/304; PCT/IB/308; PCT/IB/332; PCT/IPEA/408-in Japanese; PCT/IPEA/409-in Japanese; Claim of Priority</p> | | |

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| U.S. APPLICATION NO. If known, see 37 CFR 1.5) 107516313 Not Yet Assigned | INTERNATIONAL APPLICATION NO. PCT/JP03/07478 | ATTORNEY'S DOCKET NUMBER P26361 | | |
| | | CALCULATIONS | PTO USE ONLY | |
| 23 <input checked="" type="checkbox"/> The following fees are submitted: | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 0.00 | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | |
| Basic National Stage Fee | | \$300.00 | \$ 300.00 | |
| National Stage Application Size Fee – for each additional 50 sheets that exceeds 100 sheets | | \$250.00 | 0.00 | |
| National Stage Search Fee | | \$500.00 | \$ 500.00 | |
| National Stage Examination Fee | | \$200.00 | \$ 200.00 | |
| Claims | Number Filed | Number Extra | Rate | |
| Total Claims | 10 - 20 = | 0 | x \$50.00 | \$ 0.00 |
| Independent Claims | 2 - 3 = | 0 | x \$200.00 | \$ 0.00 |
| Multiple Dependent Claim(s) (if applicable) | | | + \$360.00 | \$ 0.00 |
| TOTAL OF ABOVE CALCULATIONS = \$1,000.00 | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | | |
| SUBTOTAL = \$1,000.00 | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | |
| Extension of Time fee in the amount of \$ | | | | |
| TOTAL NATIONAL FEE = \$1,000.00 | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | |
| TOTAL FEES ENCLOSED = \$1,000.00 | | | | |
| | | Amount to be refunded | \$ | |
| | | Charged | \$ | |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,000.00</u> to cover the above fees is included.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u>.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>e. <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)).</p> | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF:</p> <p>Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191</p> | | | | |
|  SIGNATURE <i>Reg. No. 33,329</i> NAME 29,027 REGISTRATION NUMBER | | | | |

10/516313

DTO c'd PCT/PTO 10 DEC 2004

P26361.P02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yasukazu NAGATO et al.

Mail Stop PCT

Appl. No :Not Yet Assigned
(U.S. National Phase of PCT/JP03/07478)

I.A. Filed: June 12, 2003

For : AGENT FOR SUPPRESSING SIDE EFFECTS OF ANTITUMOR AGENT

**COVER LETTER ACCOMPANYING U.S. NATIONAL STAGE PATENT
APPLICATION FILED UNDER 35 U.S.C. 371 AND 37 C.F.R. 1.495**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Enclosed is a new National Stage patent application for filing in the U.S. Patent and Trademark Office under 35 U.S.C. 371 and 37 C.F.R. 1.495. The Declaration and Power of Attorney attached thereto are in unexecuted form. A properly executed Declaration and Power of Attorney, will be filed within the period of time set in a Notification to be mailed by the United States Patent and Trademark Office.

Related to the above, this application should be associated with Customer Number 7055, which includes the present correspondence address as follows:

GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191

If there are any questions pertaining to this National Stage Application, please contact the undersigned.

Respectfully submitted,
Yasukazu NAGATO et al.


Bruce H. Bernstein
Reg. No. 29,027

33,329

December 10, 2004
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